

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 05-14680
Non-Argument Calendar

<p>FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT December 30, 2005 THOMAS K. KAHN CLERK</p>
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D. C. Docket No. 04-00659-CV-F-S

CHRISTOPHER STOVALL,

Plaintiff-Appellee,

versus

CLARK ALLUMS,
in his individual capacity,

Defendant-Appellant,

THE CITY OF DOTHAN, ALABAMA,
a municipality,

Defendant.

Appeal from the United States District Court
for the Middle District of Alabama

(December 30, 2005)

Before CARNES, BARKETT and PRYOR, Circuit Judges.

PER CURIAM:

This is an appeal from the denial of qualified immunity stemming from the defendant officer's arrest of the plaintiff for disorderly conduct. Viewing the evidence in the light most favorable to the plaintiff, as we are required to do at this stage of the proceedings, we conclude that no officer reasonably could have believed that the plaintiff had violated the state code provision prohibiting disorderly conduct. Accordingly, the district court's denial of summary judgment is AFFIRMED.